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DOCKET NO. Interference 105,114

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: SKOULTCHI

ART UNIT: 1632

SERIAL NO.: 08/102,390

EXAMINER: Shin Lin CHEN

FILING DATE: AUGUST 5, 1993

FOR: PRODUCTION OF PROTEINS USING HOMOLOGOUS RECOMBINATION

**SECOND COMMUNICATION REGARDING STATUS OF APPLICATION**

*Via Facsimile 571-273-0726*

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

ATTN: Shin Lin CHEN

Further to the interview extended undersigned counsel by Examiner Chen in the above-captioned matter, for which Applicant is grateful, the Examiner is hereby advised that the review of the decision of the Board of Patent Appeals and Interferences in Interference 105,114, in which the above-captioned application was involved, remains pending. The Examiner requested filings from the cases involving that review, and an address of counsel to update the file. The same is provided herewith.

Attached hereto as Exhibit A is a Complaint filed by Cell Genesys, Inc., pursuant to 35 U.S.C. §146, seeking review of the Decision in Interference 105,114. As reflected on the face page of that Complaint, the D.C. case number was 1:04CV01407, which case was timely filed August 18, 2004. The Examiner's attention is directed to paragraph 3, page 2, which identifies the Complaint as seeking review of the Decision in Interference 105,114 through the authority of 35 U.S.C. §146.

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